



# City land use planning Why, what, how

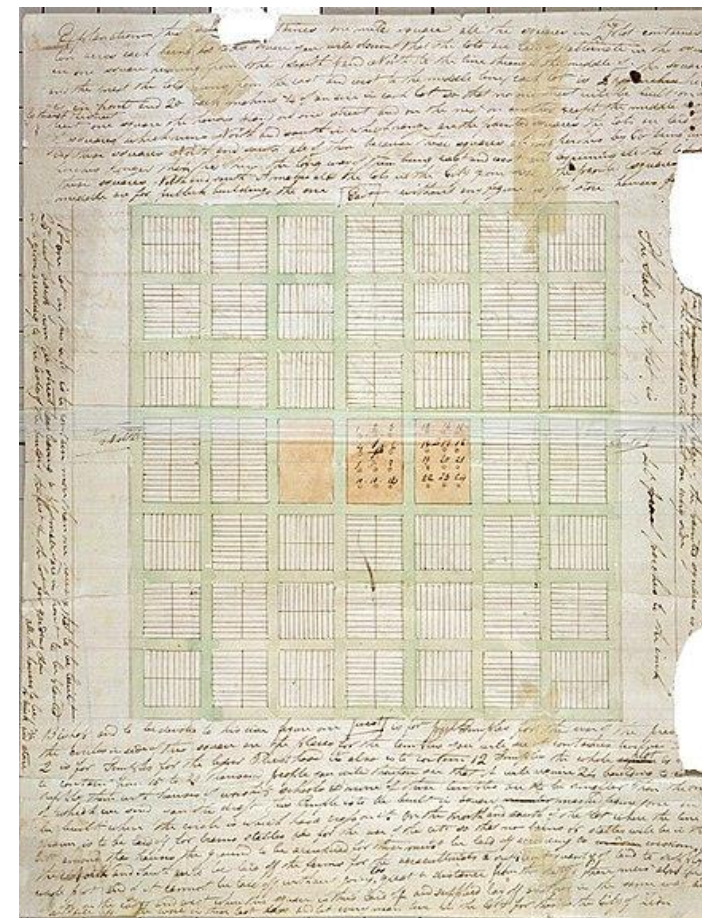
Cameron Diehl, Executive Director

# Planning is in our blood

## City of Zion plat 1833

The size is limited to one square mile:

- Regular, uniform grid pattern is laid out in a north-south orientation, with straight streets crossing at right angles
- All ten-acre blocks are square
- Blocks are divided into 20 half-acre lots
- One house per lot, set back 25 feet from the street
- Gardens are planted in the back and shrubs and trees in the front
- All houses are constructed of brick or stone
- All farms, barns, & livestock are located just outside the residential section



# Why cities exist: quality of life

- 1851: Salt Lake, Ogden, Provo, Parowan
- 96%+ of Utahns reside in cities/towns
- 1,380 mayors and council members
- Residents incorporate cities/towns
  - [Article XI, Section 5](#): “Legislature may not create cities or towns by special laws
- [Utah Code 10-8-84](#): “city may pass all ordinances necessary and proper to ...”
  - provide for safety and health
  - promote prosperity
  - improve the morals, peace, and good order, and comfort of the city and its inhabitants
  - protect property in the city
- [UT Supreme Court](#): “general welfare power = independent (city) authority to pass ordinances”

# Why do cities plan? Quality of life.

- State law requires us to plan
- Foundation of communities
- Coordination of public services
- Balance of property rights
- Balance of today's and tomorrow's residents
- Tax/fee revenue funds services and infrastructure in perpetuity
- Land use law foundation: develop policies that are consistent, predictable, transparent, and understandable so that property owners & neighbors know what to expect
  - Residential, commercial, industrial, mixed-use, agricultural



# What do we plan?

- Local governments are responsible for providing the following services to residents forever.
  - **Quality of life**
    - Planning and zoning (land use)
    - Economic development
    - Garbage/recycling/sanitation (directly or via contract)
    - Parks and recreation/trails
    - Arts facilities
    - Libraries
    - Power (directly or via contract)
    - Broadband (directly or via contract)
  - **Transportation: we connect properties**
    - Snow plow
    - Road capacity, safety (traffic)
    - Road conditions (capital facilities plans are based on predicted usage)
    - Active transportation (sidewalks, bike lanes/paths)
  - **Public safety**
    - Police (officers, vehicles, stations)
    - Fire (firefighters, vehicle sizing, stations)
    - EMS
  - **Water & wastewater**
    - Water rights (increasingly more expensive)
    - Water quality and wastewater treatment (EPA & DDW requirements)
    - Adequate water pipe sizing





#CITIESWORK

# What do we plan? Many land uses



# How do we plan? Land Use Development & Management Act (LUDMA)

- 1) Authorizes the city council as the legislative body to make land use regulations
- 2) Mandates the creation of:
  - The city's general plan
  - Planning Commission
  - Land use & appeal authorities
- 3) Certainty of process, local flexibility to plan unique communities

# LUDMA /CLUDMA THEMES:

- 1**  
Private Property Rights: Individuals are free to use private property as they wish, unless valid, written land use laws supercede.
- 2**  
Must clearly write it down: Community has broad discretion to regulate private property.
- 3**  
Must abide by it: Land use authority is bound by the terms and standards of applicable land use ordinances and shall comply with the provisions of those ordinances.
- 4**  
Unlimited Property Rights Can Be Restricted Only With Plain Regulations: Individuals are free to use private property as they wish, unless validly enacted land use laws **plainly restrict** their use.
- 5**  
Broad Discretion to Regulate: City Councils have broad discretion to regulate the use of private property in the Legislative Capacity.
- 6**  
Land Use Authorities Have Little Administrative Discretion: Land Use Authority is bound by the terms and standards of applicable land use ordinances and shall comply with the provisions of those ordinances. AND has to be designated!
- 7**  
Less Process for Administrative Decisions: Formality of noticing has been eliminated for applications that simply process permitted (and conditional uses too!) uses in your codes.



# How: Land use tools

- General plan
  - A practical vision for the future
  - Shall plan for moderate income housing, transportation
  - Advisory guide
- Capital improvement plan
- Zoning
  - Detailed specifics
- Process
  - Planning Commission creates, solicits public input via a public hearing, & sends to council
  - Council approves/modifies/denies

# How: Land use specifics

## Health, safety, welfare, and ambience of the community

- Balance of all land uses, all property owners, and all residents
- Access to properties (ingress, egress)
- Building height
- Codes: building, fire, occupancy
- Density of buildings/impact of land uses
- Landscaping
- Open space
- Signage
- Setbacks
- Stormwater runoff
- Transportation/traffic
- Utilities
- Waste

# How: transparency

- Accessible to the community
  - Public notice about zoning changes
  - Public hearings and public meetings
  - Public comment welcome
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- Why does it matter? We put the c-i-t-y in Community



LUAU  
Land Use Academy of Utah

# How: Plan cohesion

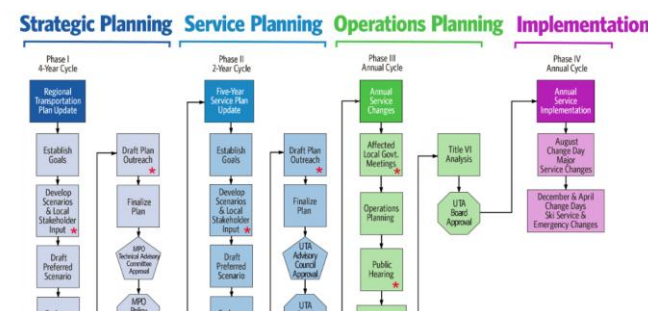
“Think regionally, act locally”

- SB 136 (2017)
- SB 34 (2018)
- SB 217 (2021)



UTA's Planning Process and Timeline

How and When the Plan Happens

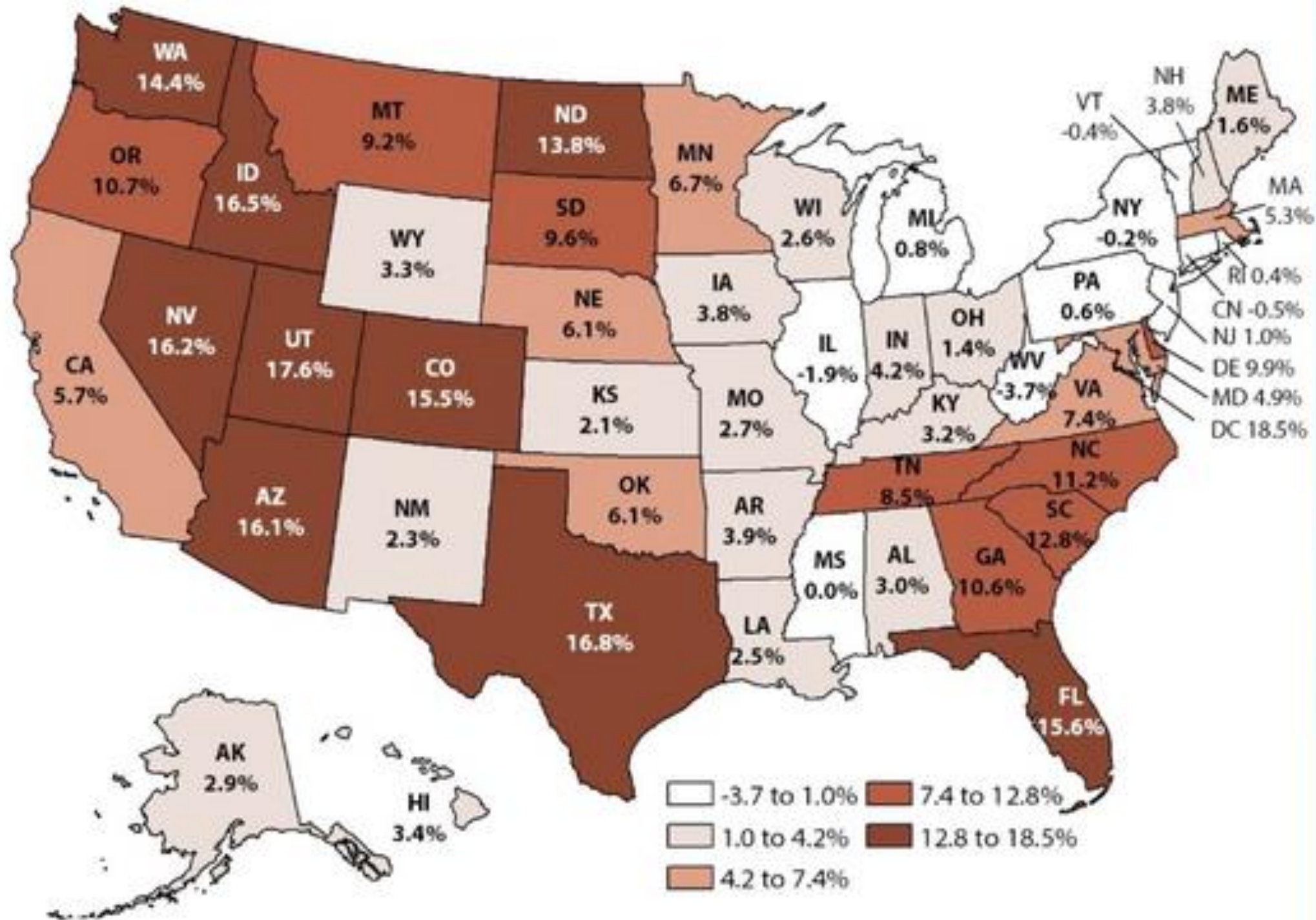


VISION FOR OUR FUTURE

Utah is growing... and we have a plan. Our future quality of life depends on the choices we make today. Wasatch Choice 2050 is our communities' shared vision for transportation investments, development patterns, and economic opportunities. The Vision map and key strategies show how advancing the Vision can enhance quality of life even as we grow.







# Utah = fastest growing state

- Local land use planning, coordinated regionally and with the State of Utah, is critical to preserving our quality of life
  - Economic development
  - Infrastructure
    - Sewer, water, utilities
  - Housing
  - Public safety
  - Transportation
  - Water supply
- Local gov'ts permitted a state record of **30,745 housing units in 2020**
- Many Utahns are concerned about negative impacts of growth



# Thanks!

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